

Defendants.

[illegible]

ORDER & JUDGMENT

Under [Federal Rule of Civil Procedure 4\(m\)](#), plaintiffs must serve notice on defendants within 120 days after the complaint is filed. Here, Plaintiffs Leech and Griffeth filed their complaint on November 19, 2010. Yet Leech and Griffeth never perfected service on Defendants Terry Collins, John Doe, and the Ohio Department of Rehabilitation and Corrections. Thus the claims against Terry Collins, John Doe, and the Ohio Department of Rehabilitation and Corrections are

Case No. 1:10-CV-2645
Gwin, J.

DISMISSED WITHOUT PREJUDICE because the Plaintiffs did not perfect service within 120 days.

Furthermore, for the reasons set out in the Court of Appeals's opinion, [Doc. [201](#)], the Court **GRANTS** Defendant DeWeese's motion to dismiss.

Accordingly, this action is **TERMINATED** under [Federal Rule of Civil Procedure 58](#).

IT IS SO ORDERED.

Dated: October 11, 2012

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE